

REMARKS

Claims 1-19 are pending.

Claims 1-18 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Haymes et al. (US 2001/0016489) in view of Iizuka (US 6,084,543).

Changes in the Claims:

Claims 1, 8, and 15 have been amended in this application to further particularly point out and distinctly claim subject matter regarded as the invention. Support for the amendments may be found in the present specification at page 7, lines 16-23. No new matter has been added.

Claim 19 has been added. Support for this claim may be found in the present specification at page 10, line 14 – page 11, line 3.

Rejection under 35 USC §103(a) – claims 1-18

Claims 1-18 stand rejected under 35 USC §103(a) as being allegedly unpatentable over Haymes in view of Iizuka (US. Patent No. 6,084,543). This rejection is respectfully traversed.

Under MPEP §706.02(j), in order to establish a prima facie case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

Applicant respectfully submits that the proposed combined teachings of Haymes and Iizuka do not suggest all of the claim limitations of claims 1-18.

Haymes describes an error correlation for wireless networks. A “database is formed from all user notifications every time there are significant transmission errors.” See paragraph [0010]. The “server provider periodically compare their current location with the maps.” See paragraph [0011]. The “system controller 310 [to] periodically query the database processor 370 to determine if a particular user 320 is entering into a

know problem area or condition." See paragraph [0021]

Iizuka describes a route guide apparatus with a display indicator.

However, neither Haymes nor Iizuka suggest "a directional indicator coupled to the cell phone to guide a user along a route that reduces a probability of losing the wireless connection, wherein **the route includes an alternative route based on a predicted route, the predicted route generated in response to a direction of travel by the user.**" See Claim 1.

Haymes describes a system that responds to **a mobile user entering a proposed trip route**. The system "informs the user of a best route [...] for continual mobile server" and "alternative routes." See paragraph [0023]. Iizuka describes "a route guide apparatus" that includes "a route search unit" that "searches for an optimum guide route from the starting point to the destination input by way of the entered unit." See Col. 6, lines 51-55.

However, neither Haymes nor Iizuka teach or suggest a route that includes an alternative route based on **a predicted route, the predicted route generated in response to a direction of travel by the user.**

Applicant therefore submits that the rejection based the Haymes and Iizuka reference is improper and should be withdrawn. Thus, Applicant submits that claims 1-18 recite novel subject matter which distinguishes over any possible combination of Haymes and Iizuka.

Claim 19

Neither Haymes nor Iizuka teach or suggest a route that includes "a direction towards a nearest cell phone tower, upon a trigger event of the cell phone." See Claim 19.

Haymes teaches a that "the user is told to change direction" but both Haymes and Iizuka are silent as to "a direction towards a nearest cell phone tower". Furthermore, Haymes describes that the user is told to change when the system controller, which **periodically queries** the database process, determines that the particular user is entering into a known problem area. Haymes does **not** teach any **trigger event** from the cell phone since the system is **already periodically querying** the database on a regular basis.

Conclusion

For all of the above reasons, applicants submit that the amended claims are now in proper form, and that the amended claims all define patentable subject matter over the prior art. Therefore, Applicants submit that this application is now in condition for allowance.


Request for allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,

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